

1 MICHAEL A. JACOBS (CA SBN 111664)
2 MJacobs@mofo.com
3 ARTURO J. GONZÁLEZ (CA SBN 121490)
AGonzalez@mofo.com
3 MORRISON & FOERSTER LLP
4 425 Market Street
San Francisco, California 94105-2482
5 Tel: 415.268.7000 / Fax: 415.268.7522

6 KAREN L. DUNN (*Pro Hac Vice*)
kdunn@bsfllp.com
7 HAMISH P.M. HUME (*Pro Hac Vice*)
hhume@bsfllp.com
8 BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
Washington DC 20005
9 Tel: 202.237.2727 / Fax: 202.237.6131

10 WILLIAM CARMODY (*Pro Hac Vice*)
bcarmody@susmangodfrey.com
11 SHAWN RABIN (*Pro Hac Vice*)
srabin@susmangodfrey.com
12 SUSMAN GODFREY LLP
1301 Avenue of the Americas, 32nd Floor
13 New York, NY 10019-6023
14 Tel: 212.336.8330 / Fax: 212.336.8340

15 Attorneys for Defendants
UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

16
17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20 WAYMO LLC,

Case No. 3:17-cv-00939-WHA

21 Plaintiff,

**DEFENDANTS UBER
TECHNOLOGIES, INC. AND
OTTOMOTTO LLC'S
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL THEIR
OPPOSITION TO WAYMO'S
SUPPLEMENTAL BRIEF IN
SUPPORT OF WAYMO'S MOTION
IN LIMINE NO. 4**

22 v.

23 UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

24 Defendants.

25

26

27

28

Pursuant to Civil Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc. and Ottomotto LLC (“Defendants”) submit this motion for an order to file under seal their Opposition to Waymo’s Supplemental Brief in Support of Waymo’s Motion *In Limine* No. 4. Specifically, Defendants request an order granting leave to file under seal the following confidential documents:

Document	Portions to Be Filed Under Seal	Designating Party
Opposition to Waymo’s Supplemental Brief in Support of Waymo’s Motion <i>In Limine</i> No. 4	Highlighted Portions	Plaintiff (Green)
Exhibit 1	Highlighted Portions	Plaintiff (Green)
Exhibit 4	Entire Document	Defendants (Blue-Highlighted Portions) Plaintiff (Entire Document)
Exhibit 6	Entire Document	Plaintiff

The blue-highlighted portions of Exhibit 4 contain highly confidential information regarding the technical details of Uber’s LiDAR systems. This highly confidential information is not publicly known, and its confidentiality is strictly maintained. Disclosure of this information could allow competitors to obtain a competitive advantage over Uber by giving them details into the technical components of Uber’s LiDAR sensors, such that Uber’s competitive standing could be significantly harmed. (Declaration of Thomas Pardini in Support of Defendants’ Administrative Motion to File Documents Under Seal (“Pardini Decl.”) ¶ 3.)

The green-highlighted portions of the Opposition and Exhibit 1, as well as the entireties of Exhibits 4 and 6, contain information that has been designated “Highly Confidential – Attorneys’ Eyes Only” or “Confidential” by Waymo in accordance with the Patent Local Rule 2-2 Interim Model Protective Order (“Protective Order”), which the parties have agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). Defendants file this material under seal in accordance with Paragraph 14.4 of the Protective Order. (Pardini Decl. ¶ 4.)

1 Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the
2 documents at issue, with accompanying chamber copies.

3 Defendants served Waymo with this Administrative Motion to File Documents Under
4 Seal on October 25, 2017.

5 For the foregoing reasons, Defendants request that the Court enter the accompanying
6 Proposed Order granting Defendants' Administrative Motion to File Documents Under Seal and
7 designate the service copies of these documents as "HIGHLY CONFIDENTIAL –
8 ATTORNEYS' EYES ONLY."

9 Dated: October 25, 2017

MORRISON & FOERSTER LLP

10
11 By: /s/ Arturo J. Gonzalez
ARTURO J. GONZALEZ

12 Attorneys for Defendants
13 UBER TECHNOLOGIES, INC. and
OTTOMOTTO LLC

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28